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October 5, 2023

TO: Senate Committee on Labor, Regulatory Reform, Veterans and Military Affairs

FR: Susan Quam, WRA Executive Vice President

### **Testimony for Information Only**

#### **SB 436 Elimination of Work Permits for 14-15 Year-Old**

Thank you Chair Testin and Committee for the opportunity to speak for information only today on SB 436.

The restaurant industry in Wisconsin is one of the largest private sector employees in the state. The restaurant industry employs over eight percent of all workers in the state – prior to 2020, that figure was nine percent. In fact, one out of three people start their working career in a restaurant while a teenager. Many of those folks consider the restaurant owners, managers and employees they worked with as their second family while completing high school. Restaurant owners take pride in providing teenagers their first job that helps them learn the important skills of starting on time, how to work with others, managing their shifts and doing so while still doing well academically and being active in after school activities.

The WRA supports legislation that streamlines employee hiring practices and we supported the removal of requiring work permits for 16-17 year-old a few years ago. However, federal law has many more restrictions on the employment of 14-15 year-olds, specifically on the hours and days they can work and what equipment they can use, compared to 16-17 year-old. Since 99 percent of Wisconsin restaurants fall under federal labor law when it comes to employing teens, we take complying with those restrictions very seriously.

There is one component of the current 14-15 year-old work permit process, that if removed, we believe will put our members at risk when hiring those teens. The current work permit process ensures that both the teen and their parents/guardians understand when a student may work during the school year/summer and what equipment they may not engage with. This component is very important for our restaurant owners – one they rely on to ensure no parent is unaware of the laws surrounding teen employment.

We believe that having a mandatory notification of some sort is still needed when hiring 14-15 year-olds. We would propose this bill be amended to require the Department of Workforce Development create a mandatory form that outlines the state and federal work restrictions for 14-15 year-old workers. This form would need to be used by all employers 14-15 year-old workers, where the parent/guardian and the teen be required to sign off on their acknowledgement of the applicable laws and be kept on file with the employer. This will ensure that if there is an investigation by the Department of Workforce Development or the US Department of Labor, the employer has proof that the employee and their parents were informed of work restrictions. Restaurants are often the target of random, regional labor law audits by the US DOL and teen labor laws are many times what the investigators are looking for. Having this notification and sign-off of acknowledgement is not only good for the education of the worker and parents, but a reminder also for the employer of what the rules are and how to remain compliant.

If this form, or an equivalent type of protection for the employer were added to SB 436, the WRA would wholeheartedly support its passage and implementation. Streamlining the hiring process for employers is needed and we support those efforts. Our members still need some protection for themselves and the industry while achieving those streamlining goals.

Thank you for your time.

*The Wisconsin Restaurant Association (WRA) represents over 7,000 restaurant locations statewide and represents all segments of the restaurant and hospitality industry. Our membership includes food establishments of all types and sizes, such as seasonal drive-ins, supper clubs, diners, bars, locally owned franchisees, fine-dining, and hotels/resorts. Over 75 percent of our membership is independent restaurants or restaurant groups. Regardless of ownership type, all restaurants are the cornerstones of their neighborhoods and communities. Restaurants not only provide great food, drink, and hospitality, they support schools, teams, charities and churches with fundraising and donations. They provide meeting places to celebrate, mourn and organize, or just provide a safe, tasty meal for a busy family.*